

SUMMARY OF PROPOSED FLOOR DRAFT:

**RESOLUTION 22-32, CD1
PROPOSING AN AMENDMENT TO CHAPTER 21,
REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE),
RELATING TO THE CHINATOWN SPECIAL DISTRICT.**

THE PROPOSED FD1 makes the following amendments to the proposed CD1:

In the text of the resolution:

- A. Adds a new ninth WHEREAS clause to provide that in part due to instances where food is distributed free of charge on the public sidewalk in the Historic Core Precinct, the Chinatown Special District has taken the brunt of an influx of people without homes, resulting in sanitation concerns and an increase in criminal activity, including property damage and safety concerns.
- B. Amends the tenth and eleventh WHEREAS clauses to substitute "distribution of food free of charge" for "distribution of food."
- C. Makes miscellaneous technical and nonsubstantive amendments.

In the text of the Exhibit A bill:

- D. Substitutes "distribution of food free of charge" for "distribution of food" in:
 - (1) The proposed amendment to ROH Section 21-9.60-9 (d) (pertaining to permitted uses in the Historic Core Precinct of the Chinatown Special District); and
 - (2) Table 21-9.4 (Chinatown Special District Project Classification).
- E. Makes miscellaneous technical and nonsubstantive amendments.



RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO THE CHINATOWN SPECIAL DISTRICT.

WHEREAS, the zoning maps and the Land Use Ordinance ("LUO") of the City and County of Honolulu ("City") establish zoning districts and zoning district regulations for the utilization of land in the City pursuant to Section 6-1514, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"); and

WHEREAS, each zoning district is designated for certain uses and restricted for other uses in order to encourage orderly development in accordance with adopted land use policies, including the Oahu general plan, and the applicable development plans or sustainable community plans, and to promote and protect the public health, safety, and welfare; and

WHEREAS, the LUO special design districts provide a means by which certain areas in the community in need of restoration, preservation, redevelopment, or rejuvenation may be designated as a special district to guide development for purposes of protecting and enhancing the physical and visual aspects of the area for the benefit of the community as a whole; and

WHEREAS, the Chinatown Special District, which is the oldest section of downtown Honolulu and is listed on the National Register of Historic Places, reflects the architectural character dominant during the 1880s to the 1940s, is located adjacent to the City's central business district, and represents a dynamic ethnic population and business community; and

WHEREAS, one of the overall objectives for the Chinatown Special District is to promote the long-term economic viability of the Chinatown area as a unique community of retail, office, and residential uses; and

WHEREAS, there are three precincts within the Chinatown Special District: the Mauka Precinct, the Makai Precinct, and the Historic Core Precinct; and

WHEREAS, one of the overall objectives for the Historic Core Precinct of the Chinatown Special District is to encourage the continuation and concentration of long-established ethnic retail and light manufacturing activities by providing space for these uses, particularly on the ground level; and



RESOLUTION

WHEREAS, within the Historic Core Precinct, permitted uses include ground floor spaces intended to be used exclusively for retail commercial uses, or light food manufacturing of an ethnic nature, such as noodle making; and

WHEREAS, in part due to instances where food is distributed free of charge on the public sidewalk in the Historic Core Precinct, the Chinatown Special District has taken the brunt of an influx of people without homes, resulting in sanitation concerns and an increase in criminal activity, including property damage and safety concerns; and

WHEREAS, to revitalize and invigorate the Chinatown area, and promote a safe, clean, and secure Chinatown community for residents, businesses, and visitors, requiring a minor special district permit for the distribution of food free of charge on the public sidewalk would address health and safety concerns associated with the free food distribution; and

WHEREAS, the Council therefore desires to amend the Chinatown Special District ordinance to address the distribution of food free of charge on the public sidewalk; and

WHEREAS, Charter Section 6-1513 provides that "[a]ny revision of or amendment to the zoning ordinances may be proposed by the council and shall be processed in the same manner as if proposed by the director [of planning and permitting]"; and

WHEREAS, the term "zoning ordinances," as used in Charter Section 6-1513, includes both amendments to the LUO and to ordinances designating particular parcels of property in terms of the LUO; and

WHEREAS, ROH Chapter 2, Article 24, Part A, establishes procedures and deadlines for the processing of City Council ("Council") proposals to revise or amend the general plan, the development plans, the zoning ordinances, and the subdivision ordinance, and clarifies the responsibility of the Director of Planning and Permitting to assist the Council in adequately preparing its proposals for processing; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting and the Planning Commission are directed, pursuant to Charter Section 6-1513 and ROH Chapter 2, Article 24, Part A, to process the proposed amendment to ROH Chapter 21 (the "Land Use Ordinance"), attached hereto as Exhibit A, in the same manner as if the proposal had been proposed by the Director; and



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 22-32, CD1, FD1

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BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and



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BE IT FINALLY RESOLVED that, pursuant to ROH Chapter 2, Article 24, Part A, the Clerk shall transmit copies of this resolution and the exhibit attached hereto to the Director of Planning and Permitting and the Planning Commission of the City and County of Honolulu, and shall advise them in writing of the date by which the Director's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

Carol Fukunaga

DATE OF INTRODUCTION:

February 17, 2022
Honolulu, Hawai'i

Councilmembers

EXHIBIT A



A BILL FOR AN ORDINANCE

RELATING TO THE CHINATOWN SPECIAL DISTRICT.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address public health, safety, and welfare in the Chinatown Special District.

SECTION 2. Section 21-9.60-8, Revised Ordinances of Honolulu 1990 ("Historic core precinct objectives"), is amended by adding a new subsection (e) to read as follows:

"(e) Promote a safe, clean, and secure community."

SECTION 3. Section 21-9.60-9, Revised Ordinances of Honolulu 1990 ("Historic core precinct development standards"), is amended by amending subsection (d) to read as follows:

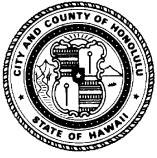
"(d) Permitted Uses.

- (1) Ground floor spaces should be used exclusively for retail commercial uses, or light food manufacturing of an ethnic nature such as noodle-making, compatible with the objectives for Chinatown.
- (2) A minor special district permit is required for the distribution of food free of charge on the public sidewalk.
- (3) Notwithstanding the underlying zoning, one- and two-family dwellings are permitted, if located above the ground floor."

SECTION 4. Table 21-9.4, Revised Ordinances of Honolulu 1990 ("Chinatown Special District Project Classification"), is amended by adding a new entry to read as follows:

"Table 21-9.4 Chinatown Special District Project Classification		
Activity/Use	Required Permit	Special Conditions
<u>Distribution of food free of charge on the public sidewalk.</u>	<u>m</u>	

"



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

SECTION 5. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

RICK BLANGIARDI, Mayor
City and County of Honolulu